

#200  
7/9/07**HEARINGS1 HEARINGS1 - Fwd: Rooming House Ordinance Changes**

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**From:** "Nicole Larson" <nsours.larson@gmail.com>  
**To:** <Hearings1@sandiego.gov>  
**Date:** 7/5/2007 12:09 PM  
**Subject:** Fwd: Rooming House Ordinance Changes

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----- Forwarded message -----

**From:** **Nicole Larson** <nsours.larson@gmail.com>  
**Date:** Jul 5, 2007 12:00 PM  
**Subject:** Rooming House Ordinance Changes  
**To:** lyepiz@sandiego.gov

Attention: City Clerk:

Reference Item #200 for the July 9th City Council meeting.

We urgently need to protect our neighborhoods from unscrupulous mini-dorm developers.

Please postpone the vote, indefinitely, on the Department of Development Services proposed code changes.

These code changes will NOT stop the mini dorm developers even if EVERY one of the proposed code changes is enacted. The developers will change their business model and they could still take a 3-bedroom home, without a garage, which has two off-street parking spots, legally enlarge all three bedrooms to legally accommodate 6 or more people in each room and still only provide two off-street parking spots. That is how lacking the proposed code changes are. The Development Services Department has been throwing out code changes to stop the mini dorms since 1987 with the most recent changes occurring in 2000 (page 2, paragraph 3, ¾ of the way down). Their record speaks volumes for itself. That method has not worked in the past and will not work again this time.

We need the Rooming House Ordinance enacted with a retro clause to be able to combat the existing mini dorms. Without that clause, we will be worse off as landlords can start renting any sized unit to 3 or more people and then they will be exempt from the Rooming House Ordinance once it is enacted. The entire city will be in jeopardy!

The San Diego City Attorney's office has an affidavit from the City of Orange that Orange's Rooming/Boarding House Definition is working very well. The Department of Development Services either did not do their homework or out and out lied in their report (page 9, paragraph 2, halfway down the paragraph). Neither is excusable. Their actions are self-serving in either case.

We should enact the Rooming House Ordinance as quickly as possible and it should be expedited at every stage. The entire City of San Diego is vulnerable at this point in time to mini dorm development and will remain so even if all the proposed code changes go into effect. The proposed code changes will be a burden to all legitimate single-family homeowners who occupy their properties.

*This is not about displacing renters in general. Respectful renters are welcome to live anywhere in the city; only disrespectful ones must go. No "low income housing residents" will be displaced. The rents that are charged for mini dorms are not cheap at \$700 per room and the house must be shared with 7, 8 or more people.*

The Rooming House Ordinance is to be "complaint driven" meaning that no one from the city will be actively looking for Rooming Houses. Only nuisance tenants and their uncaring landlords will be affected. The Rooming House ordinance will be fair to everyone; tenants, landlords and resident homeowners. These are commercial businesses in parts of the city that were zoned for single-family residents where families could raise their children in a safe environment with other like-minded families. The price tag for these single-family zoned areas is not cheap but it falls dramatically when mini dorms start to take over a neighborhood. That is "blockbusting" – intentionally lowering property values in an area so property can be cheaply purchased.

These "businessmen" let their commercial businesses run amuck and disturb the long time and the recent residents just so they can save a buck. They should be policing their tenants, not us. That is the best part of the Rooming House Ordinance. The landlords either must keep their tenants in line or they will be forced to rent to fewer people in their "investment" property. For that reason alone there should be no amortization period – the amortization period is described as giving the landlords time to get back their investment money or to make plans for losing income. It will be up to the landlords and their tenants to decide their own fate. If they do not either hire people to help control their tenants or control their tenants themselves they will be "fined" by losing some of their income just as with any other breach of city code. If a liquor storeowner is lax about checking I.D.'s, sells liquor to a minor and gets caught, they are fined and can lose their license. No one cries "amortization period" then so why should we afford these lax commercial businessmen that privilege? If a business creates a nuisance such as when "F" Street was given the OK to rent a building at the Pacific Beach and Clairemont borders they were allowed to stay until their lease expired because that was a contractual agreement. Once the lease was up "F" Street moved its location and didn't cry "amortization". There should be no "amortization period" for mini dorm owners. With all the media coverage that mini dorms have gleamed, it would be impossible for them not to know that they are creating major problems, financially, mentally, physically and emotionally for the surrounding residents, many of whom have lived in their houses for 50 years or more.

The Development Services Department recommendations say it will cost money to implement the Rooming House Ordinance (page 9, paragraph 2, ¼ of the way down the paragraph). I sincerely doubt that more code enforcement personnel will be needed

now that there is a C.A.P.P. program and also the administrative fines in place. That is just another scare tactic to only have their code changes enacted. Once the nuisance rentals are eliminated, fewer code compliance personnel will be necessary.

The Department of Development Services also states in it's report that other Rooming/Boarding House Definitions/Ordinances, in the state of California, have not been challenged in court (page 9, first paragraph, last sentence) which is true but the Attorney General for the State of California, Bill Lockyer, has given a favorable opinion as to whether ordinances/definitions like the one proposed by The San Diego City Attorney's office would withstand a challenge in court:

<http://ag.ca.gov/opinions/pdfs/01-402.pdf>

Should a court case arise, I have every confidence that Mike, "The Pit Bull" Aguirre, will win that case hands down. He has shown great strength, cunning and ingenuity as our City Attorney and as we all know, he is relentless. One look at the Sunroad Project work stoppage and the ensuing agreement to remove the top two floors of that building should suffice as evidence to his and his staff's abilities.

Please postpone the vote on the proposed code changes indefinitely.

Nicole Sours Larson  
3802 Riviera Drive, #3  
San Diego, CA 92109-6304

#200  
7/9/07**HEARINGS1 HEARINGS1 - Fwd: Reference Item #200 for the July 9th City Council Meeting**

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**From:** "Renate Dumler" <dumler.r@gmail.com>  
**To:** <Hearings1@sandiego.gov>  
**Date:** 7/3/2007 8:57 PM  
**Subject:** Fwd: Reference Item #200 for the July 9th City Council Meeting

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----- Forwarded message -----

**From:** **Renate Dumler** <dumler.r@gmail.com>  
**Date:** Jul 3, 2007 8:28 PM  
**Subject:** Reference Item #200 for the July 9th City Council Meeting  
**To:** lyepiz@sandiego.gov

**Please postpone the vote, indefinitely, on the Department of Development Services proposed code changes.**

These code changes will NOT stop the mini dorm developers even if EVERY one of the proposed code changes is enacted.

The developers will change their business model and they could still take a 3-bedroom home, without a garage, which has two off-street parking spots, legally enlarge all three bedrooms to legally accommodate 6 or more people in each room and still only provide two off-street parking spots. That is how lacking the proposed code changes are.

The Development Services Department has been throwing out code changes to stop the mini dorms since 1987 with the most recent changes occurring in 2000 (page 2, paragraph 3, ¾ of the way down). Their record speaks volumes for itself. That method has not worked in the past and will not work again this time.

**We need the Rooming House Ordinance enacted with a retro clause to be able to combat the existing mini dorms.**

Without that clause, we will be worse off as landlords can start renting any sized unit to 3 or more people and then they will be exempt from the Rooming House Ordinance once it is enacted.

The entire city will be in jeopardy!

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The entire City of San Diego is vulnerable at this point in time to mini dorm development and will remain so even if all the proposed code changes go into effect. The proposed code changes will be a burden to all legitimate single-family homeowners who occupy their properties.

This is not about displacing renters.

Respectful renters are welcome to live anywhere in the city; only disrespectful ones must go.

No "low income housing residents" will be displaced.

The rents that are charged for mini dorms are not cheap at \$700 per room and the house must be shared with 7, 8 or more people.

The Rooming House Ordinance is to be "complaint driven" meaning that no one from the city will be actively looking for Rooming Houses.

Only nuisance tenants and their uncaring landlords will be affected.

The Rooming House ordinance will be fair to everyone; tenants, landlords and resident homeowners.

These are commercial businesses in parts of the city that were zoned for single-family residents where families could raise their children in a safe environment with other like-minded families.

The price tag for these single-family zoned areas is not cheap but it falls dramatically when mini dorms start to take over a neighborhood.

With a Rooming House Ordinance, the landlords either must keep their tenants in line or they will be forced to rent to fewer people in their "investment" property. For that reason alone there should be no amortization period – the amortization period is described as giving the landlords time to get back their investment money or to make plans for losing income. It will be up to the landlords and their tenants to decide their own fate. If they do not either hire people to help control their tenants or control their tenants themselves they will be "fined" by losing some of their income just as with any other breach of city code. If a liquor storeowner is lax about checking I.D.'s, sells liquor to a minor and gets caught, they are fined and can lose their license. No one cries "amortization period" then so why should we afford these lax commercial businessmen that privilege? If a business creates a nuisance such as when "F" Street was given the OK to rent a building at the Pacific Beach and Clairemont borders they were allowed to stay until their lease expired because that was a contractual agreement. Once the lease was up "F" Street moved its location and didn't cry "amortization". There should be no "amortization period" for mini dorm owners.

With all the media coverage that mini dorms have gleamed, it would be impossible for them not to know that they are creating major problems, financially, mentally, physically and emotionally for the surrounding residents, many of whom have lived in their houses for 50 years or more.

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Please postpone the vote on the proposed code changes indefinitely.

Sincerely,

Renate Dumler  
Adam Vaczek

1304 Missouri St  
San Diego, Ca 92109

(858)5811876

#200  
7/9/07

**From:** "Brian Steer" <bsteer@gmail.com>  
**To:** <Hearings1@sandiego.gov>  
**Date:** Wed, Jul 4, 2007 11:24 AM  
**Subject:** Docket item 200 - "Mini Dorms"

Please see the attached letter.

Brian Steer  
1136 Missouri Street  
San Diego CA 92109

Reference Item #200 for the July 9<sup>th</sup> City Council meeting.

**I am writing to ask to postpone the vote, indefinitely, on the Department of Development Services proposed code changes.** These code changes will not stop the mini dorm developers even if every one of the proposed code changes is enacted. The developers can easily change their business model and take a 3-bedroom home, without a garage, which has two off-street parking spots, legally enlarge all three bedrooms to legally accommodate 6 or more people in each room and still only provide two off-street parking spots. That is how lacking the proposed code changes are. The Development Services Department has been throwing out code changes to stop the mini dorms since 1987 with the most recent changes occurring in 2000 (page 2, paragraph 3, ¾ of the way down). Their record speaks volumes for itself. That method has not worked in the past and will not work again this time.

We need the Rooming House Ordinance enacted with a retro clause to be able to combat the existing mini dorms. Without that clause, we will be worse off as landlords can start renting any sized unit to 3 or more people and then they will be exempt from the Rooming House Ordinance once it is enacted.

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This is not about displacing renters in general. Respectful renters are welcome to live anywhere in the city; only disrespectful ones must go. No "low income housing residents" will be displaced. The rents that are charged for mini dorms are not cheap at \$700 per room and the house must be shared with 7, 8 or more people.

The Rooming House Ordinance is to be "complaint driven" meaning that no one from the city will be actively looking for Rooming Houses. Only nuisance tenants and their uncaring landlords will be affected. The Rooming House ordinance will be fair to everyone; tenants, landlords and resident homeowners. These are commercial businesses in parts of the city that were zoned for single-family residents where families could raise their children in a safe environment with other like-minded families. The price tag for these single-family zoned areas is not cheap but it falls dramatically when mini dorms start to take over a neighborhood. That is "blockbusting" – intentionally lowering property values in an area so property can be cheaply purchased.

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Brian A. Steer  
1136 Missouri Street  
San Diego CA 92109

200  
7/9

**From:** "Jeff Ambrose" <Jambrose@woodstockscsca.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** Tue, Jul 3, 2007 5:51 PM  
**Subject:** Room Ordinance

Please send to City Council Members and Mayor before the July 9th meeting.

**HEARINGS1 HEARINGS1 - Reference Item #200 for the July 9th City Council meeting.**

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**From:** "Kitty McDonald" <kmdonal@san.rr.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 5:01 PM  
**Subject:** Reference Item #200 for the July 9th City Council meeting.

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I am in complete agreement with the attached document.

Kitty McDonald  
858-459-9389

## HEARINGS1 HEARINGS1 - Reference Item #200 for the July 9th City Council Meeting

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**From:** "Renate Dumler" <dumler.r@gmail.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 8:29 PM  
**Subject:** Reference Item #200 for the July 9th City Council Meeting

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Please postpone the vote on the proposed code changes indefinitely.

Sincerely,

Renate Dumler  
Adam Vaczek

1304 Missouri St  
San Diego, Ca 92109

(858)5811876

# HEARINGS1 HEARINGS1 - Reference Item #200 for the July 9th City Council meeting.

**From:** "Betsy Burgreen" <betsyburgreen@cabc.org>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/4/2007 1:43 AM  
**Subject:** Reference Item #200 for the July 9th City Council meeting.

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>  
 Sincerely  
 Betsy Burgreen  
 San Diego / El Cerrito Resident  
 Registered VOTER!

**HEARINGS1 HEARINGS1 - Item 200July 9th City Council Mtg**

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**From:** <Amchotiner@aol.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 5:56 PM  
**Subject:** Item 200July 9th City Council Mtg

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This is not about displacing renters in general. Respectful renters are welcome to live anywhere in the city; only disrespectful ones must go. No "low income housing residents" will be displaced. The rents that are charged for mini dorms are not cheap at \$700 per room and the house must be shared with 7, 8 or more people.

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Please postpone the vote on the proposed code changes indefinitely.

Andrew M Chotiner, 858 488 3337

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See what's free at [AOL.com](http://AOL.com).

Reference Item #200 for the July 9<sup>th</sup> City Council meeting.

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Should a court case arise, I have every confidence that Mike Aguirre, will win that case hands down. He has shown great strength, cunning and ingenuity as our City Attorney and as we all know, he is relentless.

Please postpone the vote on the proposed code changes indefinitely.

Brian A. Steer  
1136 Missouri Street  
San Diego CA 92109

## HEARINGS1 HEARINGS1 - Item #200 for July 9th City Council Meeting

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**From:** <Jodibirse@aol.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/4/2007 9:57 PM  
**Subject:** Item #200 for July 9th City Council Meeting  
**CC:** <michaelaguirre@sandiego.gov>

---

To the members of the City Council:

*Please postpone the vote, indefinitely, on the Department Of Development Services proposed code changes.*

These code changes will NOT stop the mini dorm developers even if every one of the proposed code changes is enacted.

We need the Rooming House Ordinance enacted with a retro clause to be able to combat the existing mini dorms.

Commercial use in an RS-I zone is inappropriate.

I realize that college students and young employed adults need reasonably priced housing, and Pacific Beach is very attractive to them. The landlords must be held accountable for the noise, parking and trash left on our lawns after their parties. This housing should not be allowed in an RS-I zone.

Jo Ann Birse  
858-581-6349

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See what's free at [AOL.com](http://AOL.com).

**HEARINGS1 HEARINGS1 - Postpone the vote, Indefinitely, on Code Proposals to Department of Development Services**

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**From:** "DICK G" <RAGamble@san.rr.com>  
**To:** <lyepiz@sandiego.gov>, <KevinFaulconer@sandiego.gov>  
**Date:** 7/5/2007 4:16 PM  
**Subject:** Postpone the vote, Indefinitely, on Code Proposals to Department of Development Services

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From: Richard Gamble, 3938 Riviera Dr, San Diego, CA - DoD Federal Gov  
Julianne Tracy, 3938 Riviera Dr San Diego, CA - ATT Phone Co.

Reference Item #200 for the July 9th City Council meeting:

**PLEASE postpone the vote, indefinitely, on the Department of Development Services proposed code changes.**

We long-term PB residents and homeowners already suffer serious abuse and extreme annoyance at all times -  
from unscrupulous renting of cheap rental units directly adjacent to our properties, on ALL sides.

We honestly work to keep our neighborhood liveable but are being overtaken by renters with no concern for our community, neighborhood absolutely NO CONCERN for adjacent neighbors.

The proposed Dept of Dev Services code changes will absolutely acerbate the existing problem.

Please do not allow this vote to take place - INDEFINITELY.

With Respect,

Dick Gamble and Juli Tracy

**HEARINGS1 HEARINGS1 - Rooming House Ordinance Changes**

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**From:** "Nicole Larson" <nsours.larson@gmail.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/5/2007 12:01 PM  
**Subject:** Rooming House Ordinance Changes

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Attention: City Clerk:

Reference Item #200 for the July 9th City Council meeting.

We urgently need to protect our neighborhoods from unscrupulous mini-dorm developers.

Please postpone the vote, indefinitely, on the Department of Development Services proposed code changes.

These code changes will NOT stop the mini dorm developers even if EVERY one of the proposed code changes is enacted. The developers will change their business model and they could still take a 3-bedroom home, without a garage, which has two off-street parking spots, legally enlarge all three bedrooms to legally accommodate 6 or more people in each room and still only provide two off-street parking spots. That is how lacking the proposed code changes are. The Development Services Department has been throwing out code changes to stop the mini dorms since 1987 with the most recent changes occurring in 2000 (page 2, paragraph 3, ¾ of the way down). Their record speaks volumes for itself. That method has not worked in the past and will not work again this time.

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to live anywhere in the city; only disrespectful ones must go. No "low income housing residents" will be displaced. The rents that are charged for mini dorms are not cheap at \$700 per room and the house must be shared with 7, 8 or more people.

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Please postpone the vote on the proposed code changes indefinitely.

Nicole Sours Larson  
3802 Riviera Drive, #3  
San Diego, CA 92109-6304

**HEARINGS1 HEARINGS1 - Mini Dorms in Pacific Beach**

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**From:** "Kyle Shepard" <kyle.shepard@interoperablesystems.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/4/2007 7:26 AM  
**Subject:** Mini Dorms in Pacific Beach

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You can't imagine what it feels like to have purchased a home, for several hundred thousand dollars, in what you thought was the last suburb in PB only to find out people are breaking existing codes and not living within the spirit of the law and having mini dorms all around you. You wonder if you should move to another suburb and let the landlords, who don't even live here win. That can't be the kind of neighborhood SD wants. We need your help.

We've had something like 20 people move in and out of the two homes next door to our to our home in PB.

Please postpone the vote indefinitely, on the Department of Development Services proposed code changes. These code changes will NOT stop the mini dorm developers even if EVERY one of the proposed code changes is enacted. The developers will change their business model and they could still take a 3-bedroom home, without a garage, which has two off-street parking spots, legally enlarge all three bedrooms to legally accommodate 6 or more people in each room and still only provide two off-street parking spots. That is how lacking the proposed code changes are. The Development Services Department has been throwing out code changes to stop the mini dorms since 1987 with the most recent changes occurring in 2000 (page 2, paragraph 3, ¾ of the way down). Their record speaks volumes for itself. That method has not worked in the past and will not work again this time.

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Respectfully,

Kyle and Mary Shepard  
1263 Tourmaline St  
Pacific Beach, CA 92109  
(858) 488-5800

PS - We'd be happy to dicscuss our concerns with you. Please give us a ring if you have time to call.

July 3, 2007

To: City Clerk

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Sincerely,

Jeff Ambrose  
858-539-5300

200

7/9

**HEARINGS1 HEARINGS1 - Mini-Dorms**

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**From:** "Miyo Ellen Reff" <mereff@yahoo.com>  
**To:** <letters@uniontrib.com>  
**Date:** 7/6/2007 9:51 AM  
**Subject:** Mini-Dorms  
**CC:** <Hearings1@sandiego.gov>

---

The San Diego Union-Tribune

Dear Letters Editor,

My elderly aunt lives in a mini-dorm in a residential area with several housemates. They like to turn up the volume on their TVs and shout at their hard of hearing housemates. Sometimes they get a little rowdy and they can be seen chugging cans of Ensure. Occasionally, one of the residents will be outside and urinate in their Depends.

My heart goes out to the Development Services Department and City Attorney Mike Aguirre as they craft an enforceable law that will address the problems created by mini-dorms and not penalize people like my aunt.

Sincerely,

Miyo Ellen Reff

Miyo Ellen Reff  
9135 Judicial Drive # 3536  
San Diego, CA 92122  
858 450-6775 Home  
858 204-9063 Cell

#200  
7/9/07

**El Cerrito Neighborhood Preservation Group's  
Report to San Diego City Council  
Mini-Dorms**

Our Mayor was quoted as saying "In June, an update to the land development code. . . will make it virtually impossible to construct mini-dorms in the future." If he was talking about building nine bedrooms in Pacific Beach, he was correct. However, I think his statement shows there is a major misunderstanding about what constitutes a mini-dorm.

For those of you who have never lived next door to or across the street from a mini-dorm let me explain.

**DEFINITION OF A MINI-DORM**

A mini-dorm can be a three, four, five or six bedroom structure. It can be occupied by any number of individuals. These tenants could be college students or non-students. There could be a party consisting of several hundred or just five or six on the patio talking until 3:00 a.m. Though they are called mini-dorms they are really just a commercial enterprise in a residential neighborhood: a boarding house or rooming house.

## **EVOLUTION OF A MINI-DORM**

At first the physical characteristics of the structure are congruent with the neighborhood. Sometimes due to recent renovation or because it was kept up by the original owner. Over time the use increases and the overcrowding begins. Additional roommates are added and the number of acquaintances coming and going increases. The outward appearance of the structure starts to show signs of its excessive use. Little attention is given to repairs or upkeep. For most of its life it is recognizably distasteful and burdensome to the neighbors.

The neighbors, the police and other city services work overtime to try to manage the situation. The neighbors, especially, are continually trying to manage the ongoing nuisance of excessive noise, parking, trash and traffic. It becomes a second fulltime job for many. The police respond to an excessive number of disturbance calls related to these properties. The inspections and permits department are working in excess to control permit violations. Nuisance support projects like the "neighborhood nuisance program" and the "CAPP" program are created to try to manage the situation. The colleges attempt community outreach to manage the fallout of a growing population and the unrest of the neighborhoods surrounding the college.

Over time, other mini-dorms spring up and the profile of the street begins to change from that of a neighborhood to that of a party zone. Neighbors who can

afford it are now being forced out of their lifetime investment homes that were purchased in a quiet neighborhood due to an unruly and out of control situation. Residents who can't afford to move are now forced to stay in a living hell. Houses buzz all hours of the night. People come and go in large numbers exhibiting unacceptable behavior, including: public urination, defecation, vomiting and copulation; excessive alcohol use, broken glass, trash, fights, antagonistic behavior towards the neighbors, and the presence of Gang Activities, including drug use and sales.

It sometimes takes months to identify all the lease holders living in the mini-dorm. Once you do, the education cycle begins. Neighbors explain the common rules of behavior and try to convince the lease holders to alter their behavior. Usually, the outcome is this: first come the excuses, the pointing of fingers and the "just give us one more chance" stage. If you have a particularly bad group you start to call the police and document all incidents reported. If it is a college student house the CAPP officer and the college gets involved. All the while we are approaching the next end of semester or end of the school year when the partying will begin again. If you are lucky you get it under control by the end of the year. If you are not lucky you contact the Neighborhood Nuisance Program and you start another lengthy process. Over the summer the players can change if you don't run them out. Because, after all, it's no longer allowed to be a party house so why live

there? The new group comes in and the cycle starts again. The owner sometimes refuses to take the calls, saying the problem is between the neighbors and the renters. Other times the owner holds the tenants financially responsible. This evolution involves constant turnover and a tremendous amount of time and energy by the neighborhood to monitor lease holders behavior. All the while, neighbors are losing sleep and peace of mind. Often neighbors move because the situation seems out of their control. And all of this is just for one mini-dorm. Multiply this by 10 or more mini-dorms surrounding just one resident's home. It's an impossible situation to control.

### **MINI-DORM BUSINESS MODEL**

The "mini-dorm" business model continues to be a threat to the neighborhoods of San Diego. And it evolves. Originally it was an unmodified three bedroom house with two individuals per room. Then the developers started converting all available space to bedrooms. This could be dining rooms, living rooms, family rooms, garages, or sheds. Sometimes these have been legally converted and sometimes illegally without permits. Then the new model became the expansion of the three bedroom house to upwards of ten bedrooms. The lots get dramatically altered to accommodate additional parking. Some have paved the entire backyards. These changes have dramatically changed the character of residential neighborhoods.

## **DEVELOPMENTAL SERVICES RECOMMENDATIONS**

The recommended Land Development Code changes have already been assimilated by the developers. All the changes suggest by the DSD address 10,000 square foot lots. 25% of the lots in the college area are larger than the 10,000 square foot lots. So the developers need only purchase the larger lots.

Another suggested change addresses additional requirements for 4 bedroom houses. The developers have a name for the new Mini-dorm model. It's called **"The Godzilla"**. It is a three bedroom house with 600 square foot bedrooms. The beds will be added dormitory style 6 or more to a room. The Godzilla is a 3 bedroom house becomes an 18 bed dormitory. None of the new Land Development Code changes would apply to these newer models.

## **DSD RECOMMENDATION ANALYSIS**

The Land Development Code changes do nothing to address existing mini-dorms or the behaviors associated with them. This is a Band-Aid approach and not a systemic change that is needed to keep the character of residential neighborhoods. It only attempts to limit development of an old business model and treat the symptoms of this commercial development in a residential neighborhood. As the DSD Report states, it only "hopes" to control tenant behavior.

## **ADMINISTRATIVE FINES AND BEHAVIOR PROGRAMS**

While the new \$1000 administrative fines for noise will have a short term affect, in the long run it will not have a major affect. Leases are already being written with a clause that holds the tenants responsible for the developer's fine. The developers will not be affected by the behavior of their tenants. In most cases these are students looking for inexpensive housing. The students are being taken advantage of by the developers. They really cannot afford the fines but naively sign a lease. In the long run those who are serious about partying will add the fine to the rent or offset the cost by charging admission to parties. All parties won't be responded to by the police and fines won't be given for the constant low grade noise coming from a mini-dorm at all hours of the day and night.

## **ADMINISTRATIVE FINES AND BEHAVIOR ANALYSIS**

This option only addresses noise in the short run and does nothing to address the overcrowding or excessive strain put on the adjacent home owner, our permits division, the character of the neighborhoods, or the police response call associated with existing or future mini-dorms. The administrative fines are again only treating the symptom of this commercial development in a residential neighborhood.

## **FALL OUT TO RESIDENTIAL PROPERTY OWNERS**

The recommendations above only serve to limit the residential property owner and not the commercial developer. Any resident living on a 10,000 square foot lot looking to add a bedroom would be subject to these same property restrictions and limitations. The municipal code changes are only treating the symptoms of this commercial development in a residential neighborhood.

*Mini-dorms will not go away when you reduce bedroom count, require landscape, increase off street parking or threaten fines.*

## **THE ROOMING HOUSE ORDINANCE SOLUTION**

The developers' mantra is "There is no such thing as a mini-dorm. We are not doing anything illegal". "We are running an honest business!" Until a mini-dorm is defined and made illegal in residential neighborhoods the developers are right.

A rooming house ordinance is being used successfully in other cities in California. The Attorney General's office for the state of California supports this approach. The City Attorney's office supports this approach. The Mayor and several Council Members have said they will support a legally sound rooming house ordinance. The College Area Community Council and the Pacific Beach Planning Board are supporting this rooming house ordinance. The research has been done and the City Attorney says we can go forward. This is the only solution

that makes sense for the residents who have been living with the problem for more than twenty years.

### **ROOMING HOUSE ORDINANCE ANALYSIS**

The residential community has grown tired of trying and failing to manage this commercial development. The City's Code Enforcement has been stretched to the breaking point with the repercussions of this commercial development. The Police Department has many more pressing items to attend to other than nuisance rental housing. The Rooming House Ordinance addresses the cause at its source, which is commercial development of our residential neighborhoods. It addresses existing as well as future development and removes all behavior issues associated with this commercial use. The Rooming House Ordinance also addresses excessive city and police overhead associated with these developments. It has the stated support of the Mayor, City Council Members, as well as the community.

### **CONCLUSION**

The city must recognize these commercial enterprises for what they are and define them as such. Residential neighborhoods must be protected from commercial development or the College Area neighborhood will soon be lost and communities such as Pacific Beach, San Carlos, Allied Gardens and many others will have greatly increased Mini-Dorm problems. This is not only a College Area problem or a Pacific Beach problem, this is a city-wide zoning problem that is

allowing commercial development in residential zones. To preserve the residential neighborhoods of San Diego this commercial development must be stopped. The only solution that addresses existing and future commercial development in residential zones is the Rooming House Ordinance.

**The El Cerrito Neighborhood Preservation Group requests that the City Council approve the Rooming House Ordinance to preserve the residential neighborhoods of San Diego.**

**Respectfully submitted by El Cerrito Neighborhood Preservation Steering Committee.**

Brian Rickling

Glee Hotchkin

Leona Pfeifer

Marco LiMandri

Mitch Younker

Rob Nelson

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7/9

**From:** <nsuserid@turing.sannet.gov>  
**To:** <cityclerk@sandiego.gov>  
**Date:** 6/29/2007 6:03:01 PM  
**Subject:** San Diego City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form  
Submitted on Friday, June 29, 2007 at 18:02:29

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*name:* Terrie Vorono

*address:* 737 Emerald Street

*city:* San Diego

*state:* CA

*zip:* 92109

*source:* San Diego City Council Meeting Agenda Comment Form at <http://www.sandiego.gov/city-council/docket-comment.shtml>

*agendaitem:* Rooming-house ordinance, July 9

*comments:* Please change the rooming-house ordinance to an action item for the July 9 city counsel meeting. This ordinance impacts every neighborhood in San Diego, and action should be taken immediately to maintain the quality of all of our neighborhoods. Thank you.

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REMOTE\_ADDR: 76.212.146.37

HTTP\_USER\_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; yplus 5.1.04b)

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7/8

**From:** "Jackie Hawkins" <jkhawk11@yahoo.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 2:31:34 AM  
**Subject:** Stop Mini Dorms!!!!!!!!!!

Please change the codes to stop these mini dorms.  
This is an outrage for those of us that own homes and  
are raising families in Pacific Beach!  
Kevin and Jackie Lynds  
858-273-9478 (H)  
619-248-8218 (Cell)

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Do You Yahoo!?  
Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

Reference Item #200 for the July 9<sup>th</sup> City Council meeting.

**Please postpone the vote, indefinitely, on the Department of Development Services proposed code changes.**

These code changes will NOT stop the mini dorm developers even if EVERY one of the proposed code changes is enacted. The developers will change their business model and they could still take a 3-bedroom home, without a garage, which has two off-street parking spots, legally enlarge all three bedrooms to legally accommodate 6 or more people in each room and still only provide two off-street parking spots. That is how lacking the proposed code changes are. The Development Services Department has been throwing out code changes to stop the mini dorms since 1987 with the most recent changes occurring in 2000 (page 2, paragraph 3, ¾ of the way down). Their record speaks volumes for itself. That method has not worked in the past and will not work again this time.

We need the Rooming House Ordinance enacted with a retro clause to be able to combat the existing mini dorms. Without that clause, we will be worse off as landlords can start renting any sized unit to 3 or more people and then they will be exempt from the Rooming House Ordinance once it is enacted. The entire city will be in jeopardy!

The San Diego City Attorney's office has an affidavit from the City of Orange that Orange's Rooming/Boarding House Definition is working very well. The Department of Development Services either did not do their homework or out and out lied in their report (page 9, paragraph 2, halfway down the paragraph). Neither is excusable. Their actions are self-serving in either case.

We should enact the Rooming House Ordinance as quickly as possible and it should be expedited at every stage. The entire City of San Diego is vulnerable at this point in time to mini dorm development and will remain so even if all the proposed code changes go into effect. The proposed code changes will be a burden to all legitimate single-family homeowners who occupy their properties.

This is not about displacing renters in general. Respectful renters are welcome to live anywhere in the city; only disrespectful ones must go. No "low income housing residents" will be displaced. The rents that are charged for mini dorms are not cheap at \$700 per room and the house must be shared with 7, 8 or more people.

The Rooming House Ordinance is to be "complaint driven" meaning that no one from the city will be actively looking for Rooming Houses. Only nuisance tenants and their uncaring landlords will be affected. The Rooming House ordinance will be fair to everyone; tenants, landlords and resident homeowners. These are commercial businesses in parts of the city that were zoned for single-family residents where families could raise their children in a safe environment with other like-minded families. The price tag for these single-family zoned areas is not cheap but it falls dramatically when mini dorms start to take over a neighborhood. That is "blockbusting" – intentionally lowering property values in an area so property can be cheaply purchased.

These "businessmen" let their commercial businesses run amuck and disturb the long time and the recent residents just so they can save a buck. They should be policing their tenants, not us. That is the best part of the Rooming House Ordinance. The landlords either must keep their tenants in line or they will be forced to rent to fewer people in their "investment" property. For that reason alone there should be no amortization period – the amortization period is described as giving the landlords time to get back their investment money or to make plans for losing income.

It will be up to the landlords and their tenants to decide their own fate. If they do not either hire people to help control their tenants or control their tenants themselves they will be "fined" by losing some of their income just as with any other breach of city code. If a liquor storeowner is lax about checking I.D.'s, sells liquor to a minor and gets caught, they are fined and can lose their license. No one cries "amortization period" then so why should we afford these lax commercial businessmen that privilege? If a business creates a nuisance such as when "F" Street was given the OK to rent a building at the Pacific Beach and Clairemont borders they were allowed to stay until their lease expired because that was a contractual agreement. Once the lease was up "F" Street moved its location and didn't cry "amortization". There should be no "amortization period" for mini dorm owners. With all the media coverage that mini dorms have gleamed, it would be impossible for them not to know that they are creating major problems, financially, mentally, physically and emotionally for the surrounding residents, many of whom have lived in their houses for 50 years or more.

The Development Services Department recommendations say it will cost money to implement the Rooming House Ordinance (page 9, paragraph 2, ¼ of the way down the paragraph). I sincerely doubt that more code enforcement personnel will be needed now that there is a C.A.P.P. program and also the administrative fines in place. That is just another scare tactic to only have their code changes enacted. Once the nuisance rentals are eliminated, fewer code compliance personnel will be necessary.

The Department of Development Services also states in it's report that other Rooming/Boarding House Definitions/Ordinances, in the state of California, have not been challenged in court (page 9, first paragraph, last sentence) which is true but the Attorney General for the State of California, Bill Lockyer, has given a favorable opinion as to whether ordinances/definitions like the one proposed by The San Diego City Attorney's office would withstand a challenge in court:

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Please postpone the vote on the proposed code changes indefinitely.

Brian T. Hughes  
858-483-8835  
1261 Law Street  
San Diego, CA 92109

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7/9**Lauren Yepiz - Reference Item #200 for the July 9th City Council meeting.**

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**From:** "Bonnie Emlaw" <bemlaw@san.rr.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 7:42 AM  
**Subject:** Reference Item #200 for the July 9th City Council meeting.

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Please postpone the vote on the proposed code changes indefinitely.

Thank you,

Bonnie Emlaw  
1251 Beryl St.  
San Diego, CA 92109  
858 272 2656

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Sincerely,  
Larry Emlaw  
858.272.2656

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7/9

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The Development Services Department recommendations say it will cost money to implement the Rooming House Ordinance (page 9, paragraph 2, ¼ of the way down the paragraph). I sincerely doubt that more code enforcement personnel will be needed now that there is a C.A.P.P. program and also the administrative fines in place. That is just another scare tactic to only have their code changes enacted. Once the nuisance rentals are eliminated, fewer code compliance personnel will be necessary.

The Department of Development Services also states in it's report that other Rooming/Boarding House Definitions/Ordinances, in the state of California, have not been challenged in court (page 9, first paragraph, last sentence) which is true but the Attorney General for the State of California, Bill Lockyer, has given a favorable opinion as to whether ordinances/definitions like the one proposed by The San Diego City Attorney's office would withstand a challenge in court:

<http://ag.ca.gov/opinions/pdfs/01-402.pdf>

Should a court case arise, I have every confidence that Mike, "The Pit Bull" Aguirre, will win that case hands down. He has shown great strength,

cunning and ingenuity as our City Attorney and as we all know, he is relentless. One look at the Sunroad Project work stoppage and the ensuing agreement to remove the top two floors of that building should suffice as evidence to his and his staff's abilities.

Please postpone the vote on the proposed code changes indefinitely.

Sincerely,  
Joe Allen  
(858) 488-2498

200  
7/9

Reference Item #200 for the July 9<sup>th</sup> City Council meeting.

1.

**Please postpone the vote, indefinitely, on the Department of Development Services proposed code changes.**

These code changes will NOT stop the mini dorm developers even if EVERY one of the proposed code changes is enacted. The developers will change their business model and they could still take a 3-bedroom home, without a garage, which has two off-street parking spots, legally enlarge all three bedrooms to legally accommodate 6 or more people in each room and still only provide two off-street parking spots. That is how lacking the proposed code changes are. The Development Services Department has been throwing out code changes to stop the mini dorms since 1987 with the most recent changes occurring in 2000 (page 2, paragraph 3, ¾ of the way down). Their record speaks volumes for itself. That method has not worked in the past and will not work again this time.

We need the Rooming House Ordinance enacted with a retro clause to be able to combat the existing mini dorms. Without that clause, we will be worse off as landlords can start renting any sized unit to 3 or more people and then they will be exempt from the Rooming House Ordinance once it is enacted. The entire city will be in jeopardy!

The San Diego City Attorney's office has an affidavit from the City of Orange that Oranges Rooming/Boarding House Definition is working very well. The Department of Development Services either did not do their homework or out and out lied in their report (page 9, paragraph 2, halfway down the paragraph). Neither is excusable. Their actions are self-serving in either case.

We should enact the Rooming House Ordinance as quickly as possible and it should be expedited at every stage. The entire City of San Diego is vulnerable at this point in time to mini dorm development and will remain so even if all the proposed code changes go into effect. The proposed code changes will be a burden to all legitimate single-family homeowners who occupy their properties.

This is not about displacing renters in general. Respectful renters are welcome to live anywhere in the city; only disrespectful ones must go. No low income housing residents will be displaced. The rents that are charged for mini dorms are not cheap at \$700 per room and the house must be shared with 7, 8 or more people.

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Please postpone the vote on the proposed code changes indefinitely.

Kevin and Jackie Lynds  
858-273-9478

200  
7/9

Reference Item #200 for the July 9<sup>th</sup> City Council meeting.

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Please postpone the vote on the proposed code changes indefinitely.

Respectfully,

Paul Martin  
"Unofficial" President of StopMiniDorms.com  
1227 Chalcedony St.  
San Diego, CA 92109

Ps If you'd like to get an idea of what a nuisance these mini dorms are, please go to StopMiniDorms.com and read my response to an article in the San Diego State University's "Daily Aztec".

200  
7/9

**From:** "Amy Hughes" <amyh@san.rr.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 8:51:04 AM  
**Subject:** Reference Item #200 for the July 9th City Council meeting.

Mini dorms must stop. As a resident of a single family neighborhood, I am outraged at the thought of mini dorms. Please consider the attachment.

Thank you,

Amy Hughes

200  
7/9

**From:** "Cathy Robbins" <crobbin2@san.rr.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 9:30:26 AM  
**Subject:** minidorms in Pacific Beach

I am a resident of Pacific Beach. We have had our trials and tribulations but nothing like what may happen if the City and its leaders do not take action to prevent the proliferation of mini dorm style housing. I understand that anything "on the books" regarding mini dorms is directed at the San Diego State college area only.

Please do not let our area be destroyed by this aberration. Let us try and keep what we can of permanent family dwellings as opposed to oversized buildings which will house large quantities of young, transient, immature, loud, obnoxious, partying students with a car with no where to park.

YOU MUST DEAL WITH THIS PROBLEM PERMANENTLY!!

It is rough enough that they live here in large numbers. But to allow the unnatural minidorms to proliferate is unthinkable.

Sincerely,  
Catherine Robbins  
5259 Middleton Road  
San Diego, CA 92109  
858-483-9553

**Lauren Yepiz - ref. item #200 07/09/07 City Council Meeting**

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**From:** "Jennifer Sprofera" <jennifersprofera@hotmail.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 10:07 AM  
**Subject:** ref. item #200 07/09/07 City Council Meeting  
**CC:** <pbpaul@san.rr.com>

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In reference to item #200 for the July 9th, 2007 City Council Meeting

Please take this as an official opposition to the very weak "proposed changes" the city has designed to address the mini dorm concern. These changes are totally insufficient and only serve to make the mini dorm problems worse as the entrepreneurs will just morph their plans and then infiltrate more of San Diego.

To rid us of existing mini dorm concerns and ones on the horizon, I ask that a **retro clause be added to the exemplary Rooming House Ordinance**. I have personally reviewed the ordinance and find it to be a well thought out plan. This ordinance protects the livability of those residing in the neighborhoods of SD and this is a necessity.

Add my name to the list of those citizens who feel **the proposed code changes are insufficient** to dealing with the concerns that mini dorms pose.

Jennifer Sprofera  
1228 Diamond Street  
San Diego, CA 92109  
(858)272-2694

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Need a brain boost? Recharge with a stimulating game. Play now!

**Lauren Yepiz - Item 200 7-9 council**

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**From:** "Ann Cottrell" <acottrell@mail.sdsu.edu>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 10:07 AM  
**Subject:** Item 200 7-9 council

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RE Item 200 for City Council meeting July 9 "MiniDorm" code changes

we fully support the building code changes being proposed to address the mini dorm problem  
We are ecstatic about the administrative fine police can impose

While these are useful **THEY WILL DO VERY LITTLE TO ADDRESS THE MINI DORM PROBLEM**  
**A RETROACTIVE ROOMING HOUSE ORDINANCE - ASAP-- IS THE ONLY SYSTEMIC SOLUTION**

1. Code changes will not affect the overwhelming and growing number of minidorms in the college area...t two new ones opened near us in the last two weeks
2. 6 Bedrooms (plus beds in living or dining room) can accommodate a lot more than 6 students (six young adults with cars is bad enough)
3. requiring off street parking for 6 cars (2 in garages) doesn't limit the number of occupants, but does encourage paving the front yard
4. Eliminating noisy parties does not eliminate the noise... loud talking of groups coming and going into the early am is even more disturbing because it is ongoing

**EVERYONE IN RS1 ZONES MUST ABIDE BY THE SAME RULES....**

- A HOME OWNER MAY RENT TO NO MORE THAN TWO INDIVIDUALS
- A HOMEOWNER BUSINESS MAY NOT GENERATE TRAFFIC

Don and Ann Cottrell 5111 Manhasset Dr. SD 92115

**Lauren Yepiz - Reference Item #200 for the July 9th City Council meeting.**

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**From:** "Moore, Chandra" <CMoore@HBBLaw.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 10:13 AM  
**Subject:** Reference Item #200 for the July 9th City Council meeting.  
**CC:** <daniel.j.levasseur@usmc.mil>

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Please postpone the vote on the proposed code changes indefinitely.

Regards,

Chandra Moore, Esq.  
HAIGHT, BROWN & BONESTEEL, LLP  
701 B Street, Suite 1625  
San Diego, CA 92101  
[cmoore@hbblaw.com](mailto:cmoore@hbblaw.com)  
Direct: (619) 232-5879  
Office: (619) 595-5583  
Fax: (619) 595-7873  
[www.hbblaw.com](http://www.hbblaw.com)

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Thank you.

**Lauren Yepiz - Stop Mini-Dorms**

---

**From:** "Michelle Adams" <michelleleighadams@gmail.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 10:16 AM  
**Subject:** Stop Mini-Dorms

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To Whom It May Concern:

All we are asking is that you allow Pacific Beach, and the other San Diego cities, who have become infested by greedy developers and their mini-dorms to get back to the family neighborhoods we bought into. I have spent hundreds of thousands of dollars turning a Pacific Beach bungalow into a family home in which my kids can grow up. I am dismayed that we have to go to such great lengths to keep what should be a family neighborhood intact. Rather than devoting a substantial amount of my time drafting a document to express my concerns, I will simply reiterate the words of Paul Martin, as set forth below. In the meantime, it should not be this difficult to eradicate the mini-dorm and all of the potential problems that go with them.

Reference Item #200 for the July 9<sup>th</sup> City Council meeting.

**Please postpone the vote, indefinitely, on the Department of Development Services proposed code changes, and Enact the Rooming House Ordinance**

These code changes will NOT stop the mini dorm developers even if EVERY one of the proposed code changes is enacted. The developers will change their business model and they could still take a 3-bedroom home, without a garage, which has two off-street parking spots, legally enlarge all three bedrooms to legally accommodate 6 or more people in each room and still only provide two off-street parking spots. That is how lacking the proposed code changes are. The Development Services Department has been throwing out code changes to stop the mini dorms since 1987 with the most recent changes occurring in 2000 (page 2, paragraph 3, ¾ of the way down). Their record speaks volumes for itself. That method has not worked in the past and will not work again this time.

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Please postpone the vote on the proposed code changes indefinitely. We should focus our energies on passing the Rooming House Ordinance.

Regards,

Michelle L. Adams, Esq.  
Pacific Beach Resident  
(858) 663-6450

**Lauren Yepiz - Please help stop minidorm development in my neighborhood**

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**From:** "victoria talarico" <victalaric@yahoo.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 10:20 AM  
**Subject:** Please help stop minidorm development in my neighborhood

---

Dear Madam/Sir,

Please help stop the destruction of the neighborhood where and I live with my daughter and family and help prevent the development of minidorms,

Thank you,

Victoria Talarico-Smith  
1204 Beryl Street,  
San Diego,  
CA 92109

(858) 272 8275

---

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**Lauren Yepiz - Item #200: July 9th City Council Meeting**

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**From:** "Downie Beckett" <dbeckett@san.rr.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 10:49 AM  
**Subject:** Item #200: July 9th City Council Meeting

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Regarding Item #200 on the docket for the City Council's July 9th meeting, we urge the action described in the write-up attached below.

Downie & Karen Beckett  
 1205 Chalcedony St.  
 San Diego, CA 92109  
[dbeckett@san.rr.com](mailto:dbeckett@san.rr.com)  
 858 483-1201 (h)  
 619 787-9598 (cell)

**Please postpone the vote, indefinitely, on the Department of Development Services proposed code changes.**

These code changes will NOT stop the mini dorm developers even if EVERY one of the proposed code changes is enacted. The developers will change their business model and they could still take a 3-bedroom home, without a garage, which has two off-street parking spots, legally enlarge all three bedrooms to legally accommodate 6 or more people in each room and still only provide two off-street parking spots. That is how lacking the proposed code changes are. The Development Services Department has been throwing out code changes to stop the mini dorms since 1987 with the most recent changes occurring in 2000 (page 2, paragraph 3, ¾ of the way down). Their record speaks volumes for itself. That method has not worked in the past and will not work again this time.

We need the Rooming House Ordinance enacted with a retro clause to be able to combat the existing mini dorms. Without that clause, we will be worse off as landlords can start renting any sized unit to 3 or more people and then they will be exempt from the Rooming House Ordinance once it is enacted. The entire city will be in jeopardy!

The San Diego City Attorney's office has an affidavit from the City of Orange that Orange's Rooming/Boarding House Definition is working very well. The Department of Development Services either did not do their homework or out and out lied in their report (page 9, paragraph 2, halfway down the paragraph). Neither is excusable. Their actions are self-serving in either case.

We should enact the Rooming House Ordinance as quickly as possible and it should be expedited at every stage. The entire City of San Diego is vulnerable at this point in time to mini dorm development and will remain so even if all the proposed code changes go into effect. The proposed code changes will be a burden to all legitimate single-family homeowners who occupy their properties.

This is not about displacing renters in general. Respectful renters are welcome to live anywhere in the city; only disrespectful ones must go. No "low income housing residents" will be displaced. The rents that are charged for mini dorms are not cheap at \$700 per room and the house must be shared with 7, 8 or more people.

The Rooming House Ordinance is to be "complaint driven" meaning that no one from the city will be actively looking for Rooming Houses. Only nuisance tenants and their uncaring landlords will be affected. The Rooming House ordinance will be fair to everyone; tenants, landlords and resident homeowners. These are commercial businesses in parts of the city that were zoned for single-family residents where families could raise their children in a safe environment with other like-minded families. The price tag for these single-family zoned areas is not cheap but it falls dramatically when mini dorms start to take over a neighborhood. That is "blockbusting" – intentionally lowering property values in an area so property can be cheaply purchased.

These "businessmen" let their commercial businesses run amuck and disturb the long time and the recent residents just so they can save a buck. They should be policing their tenants, not us. That is the best part of the Rooming House Ordinance. The landlords either must keep their tenants in line or they will be forced to rent to fewer people in their "investment" property. For that reason alone there should be no amortization period – the amortization period is described as giving the landlords time to get back their investment money or to make plans for losing income. It will be up to the landlords and their tenants to decide their own fate. If they do not either hire people to help control their tenants or control their tenants themselves they will be "fined" by losing some of their income just as with any other breach of city code. If a liquor storeowner is lax about checking I.D.'s, sells liquor to a minor and gets caught, they are fined and can lose their license. No one cries "amortization period" then so why should we afford these lax commercial businessmen that privilege? If a business creates a nuisance such as when "F" Street was given the OK to rent a building at the Pacific Beach and Clairemont borders they were allowed to stay until their lease expired because that was a contractual agreement. Once the lease was up "F" Street moved its location and didn't cry "amortization". There should be no "amortization period" for mini dorm owners. With all the media coverage that mini dorms have gleamed, it would be impossible for them not to know that they are creating major problems, financially, mentally, physically and emotionally for the surrounding residents, many of whom have lived in their houses for 50 years or more.

The Development Services Department recommendations say it will cost money to implement the Rooming House Ordinance (page 9, paragraph 2, ¼ of the way down the paragraph). I sincerely doubt that more code enforcement personnel will be needed now that there is a C.A.P.P. program and also the administrative fines in place. That is just another scare tactic to only have their code changes enacted. Once the nuisance rentals are eliminated, fewer code compliance personnel will be necessary.

The Department of Development Services also states in it's report that other Rooming/Boarding House Definitions/Ordinances, in the state of California, have not been challenged in court (page 9, first paragraph, last sentence) which is true but the Attorney General for the State of California, Bill Lockyer, has given a favorable opinion as to whether ordinances/definitions like the one proposed by The San Diego City Attorney's office would withstand a challenge in court:

<http://ag.ca.gov/opinions/pdfs/01-402.pdf>

Should a court case arise, I have every confidence that Mike, "The Pit Bull" Aguirre, will win that case hands down. He has shown great strength, cunning and ingenuity as our City Attorney and as we all know, he is relentless. One look at the Sunroad Project work stoppage and the ensuing agreement to remove the top two floors of that building should suffice as evidence to his and his staff's abilities.

Please postpone the vote on the proposed code changes indefinitely.

**Lauren Yepiz - STOP MINIDORMS!**

---

**From:** "Nancy Reynolds" <nancy@kidscook.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 10:50 AM  
**Subject:** STOP MINIDORMS!

---

**Please postpone the vote, indefinitely, on the Department of Development Services proposed code changes.**

These code changes will NOT stop the mini dorm developers even if EVERY one of the proposed code changes is enacted. The developers will change their business model and they could still take a 3-bedroom home, without a garage, which has two off-street parking spots, legally enlarge all three bedrooms to legally accommodate 6 or more people in each room and still only provide two off-street parking spots. That is how lacking the proposed code changes are. The Development Services Department has been throwing out code changes to stop the mini dorms since 1987 with the most recent changes occurring in 2000 (page 2, paragraph 3, ¾ of the way down). Their record speaks volumes for itself. That method has not worked in the past and will not work again this time.

We need the Rooming House Ordinance enacted with a retro clause to be able to combat the existing mini dorms. Without that clause, we will be worse off as landlords can start renting any sized unit to 3 or more people and then they will be exempt from the Rooming House Ordinance once it is enacted. The entire city will be in jeopardy!

The San Diego City Attorney's office has an affidavit from the City of Orange that Orange's Rooming/Boarding House Definition is working very well. The Department of Development Services either did not do their homework or out and out lied in their report (page 9, paragraph 2, halfway down the paragraph). Neither is excusable. Their actions are self-serving in either case.

We should enact the Rooming House Ordinance as quickly as possible and it should be expedited at every stage. The entire City of San Diego is vulnerable at this point in time to mini dorm development and will remain so even if all the proposed code changes go into effect. The proposed code changes will be a burden to all legitimate single-family homeowners who occupy their properties.

This is not about displacing renters in general. Respectful renters are welcome to live anywhere in the city; only disrespectful ones must go. No "low income housing residents" will be displaced. The rents that are charged for mini dorms are not cheap at \$700 per room and the house must be shared with 7, 8 or more people.

The Rooming House Ordinance is to be "complaint driven" meaning that no one from the city will be actively looking for Rooming Houses. Only nuisance tenants and their uncaring landlords will be affected. The Rooming House ordinance will be fair to everyone; tenants, landlords and resident homeowners. These are commercial businesses in parts of the city that were zoned for single-family residents where families could raise their children in a safe environment with other like-minded families. The price tag for these single-family zoned areas is not cheap but it falls dramatically when mini dorms start to take over a neighborhood. That is "blockbusting" – intentionally lowering property values in an area so property can be cheaply purchased.

These "businessmen" let their commercial businesses run amuck and disturb the long time and the recent

residents just so they can save a buck. They should be policing their tenants, not us. That is the best part of the Rooming House Ordinance. The landlords either must keep their tenants in line or they will be forced to rent to fewer people in their "investment" property. For that reason alone there should be no amortization period – the amortization period is described as giving the landlords time to get back their investment money or to make plans for losing income. It will be up to the landlords and their tenants to decide their own fate. If they do not either hire people to help control their tenants or control their tenants themselves they will be "fined" by losing some of their income just as with any other breach of city code. If a liquor storeowner is lax about checking I.D.'s, sells liquor to a minor and gets caught, they are fined and can lose their license. No one cries "amortization period" then so why should we afford these lax commercial businessmen that privilege? If a business creates a nuisance such as when "F" Street was given the OK to rent a building at the Pacific Beach and Clairemont borders they were allowed to stay until their lease expired because that was a contractual agreement. Once the lease was up "F" Street moved its location and didn't cry "amortization". There should be no "amortization period" for mini dorm owners. With all the media coverage that mini dorms have gleamed, it would be impossible for them not to know that they are creating major problems, financially, mentally, physically and emotionally for the surrounding residents, many of whom have lived in their houses for 50 years or more.

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Please postpone the vote on the proposed code changes indefinitely.

Nancy Reynolds, PB resident  
619-318-6012

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**Lauren Yepiz - Stop the mini dorms**

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**From:** <peterutledge@aol.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 11:06 AM  
**Subject:** Stop the mini dorms

---

How many times do I have to write to the City of San Diego about our opposition to mini dorms? Come to my neighborhood at 1027 Opal Street, SD 92109 on any Thursday-Sunday night to experience the sounds of rowdy parties.

Pete  
Rutledge 858-344-6899  
Computer Fax: 858-483-9931 Pls Call First

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**Lauren Yepiz - Item #200 for the July 9th City Council meeting**

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**From:** "Mark Scherrer" <Mark.Scherrer@uboc.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 11:34 AM  
**Subject:** Item #200 for the July 9th City Council meeting

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**Please postpone the vote, indefinitely, on the Department of Development Services proposed code changes.**

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Please postpone the vote on the proposed code changes indefinitely.

Mark Scherrer  
1152 Chalcedony St.  
San Diego, CA 92109  
619-230-3289

\*\*\*\*\*  
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Thank you.

**From:** "Kathy Lippitt" <klippitt@saysandiego.org>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 11:54:37 AM  
**Subject:** STOP MINI DORMS - WE NEED A ROOMING HOUSE ORDINANCE WITH A RETRO CLAUSE NOW!

We need the Rooming House Ordinance enacted with a retro clause to be able to combat the existing mini dorms. Without that clause, we will be worse off as landlords can start renting any sized unit to 3 or more people and then they will be exempt from the Rooming House Ordinance once it is enacted. *The entire city will be in jeopardy!*

The San Diego City Attorney's office has an affidavit from the City of Orange that Orange's Rooming/Boarding House Definition is working very well. The Department of Development Services either did not do their homework or out and out lied in their report (page 9, paragraph 2, halfway down the paragraph). Neither is excusable. Their actions are self-serving in either case.

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Kathleen and James Lippitt  
12835 Chaparral Ridge Road  
San Diego, Ca 92130  
phone: (760) 522-4592 - cell

**Lauren Yepiz - Please postpone the vote, indefinitely, on the Department of Developmental Services proposed code changes re: Mini dorms**

---

**From:** "Moore, Chandra" <CMoore@HBBLaw.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/2/2007 4:08 PM  
**Subject:** Please postpone the vote, indefinitely, on the Department of Developmental Services proposed code changes re: Mini dorms

---

Good Afternoon,

I am writing to ask that you please postpone the vote, indefinitely, on the Department of Developmental Services proposed code changes. These code changes will NOT stop the minidorm developers even if EVERY one of the proposed code changes are enacted. The developers will change their business model and they could still take a 3-bedroom home, without a garage, that has two off-street parking spots, legally enlarge all three bedrooms to legally accommodate 6 people in each room and still only provide two off-street parking spots. That is how lame the code changes are. *They have been throwing code changes out to stop the mini dorms since 1987 with the most recent changes occurring in 2000 (page 2, paragraph 3, 3/4 of the way down the paragraph).* Their record speaks for itself. That method has not worked in the past and will not work again this time.

We need the Rooming House Ordinance enacted with a retro clause to be able to combat the existing mini dorms. Without that clause, we will be worse off as landlords can start renting any sized unit to 3 or more people and then they will be exempt from the Rooming House Ordinance. The entire city will be in jeopardy!

The San Diego City Attorney's office has an affidavit from the City of Orange that their Rooming/Boarding House Definition is working very well. The Department of Developmental Services out and out lied in their report (page 9, paragraph 2, halfway down the paragraph). Either that or they did not do their homework. Neither is excusable. Their actions are self serving in either case.

We should enact the Rooming House Ordinance as quickly as possible as the entire City of San Diego is vulnerable at this point in time to mini dorms and will remain so even if all the proposed code changes go into effect. The proposed code changes will be a burden to all legitimate single family home owners who occupy their properties.

Please postpone the vote on the proposed code changes indefinitely.

Regards,

Chandra Moore, Esq.  
 HAIGHT, BROWN & BONESTEEL, LLP  
 701 B Street, Suite 1625  
 San Diego, CA 92101  
[cmoore@hbblaw.com](mailto:cmoore@hbblaw.com)  
 Direct: (619) 232-5879  
 Office: (619) 595-5583  
 Fax: (619) 595-7873  
[www.hbblaw.com](http://www.hbblaw.com)

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Thank you.

**Lauren Yepiz - Please help stop minidorms in Pacific Beach**

---

**From:** "Nick Smith" <drengine@yahoo.com>  
**To:** <lyepiz@sandiego.gov>  
**Date:** 7/3/2007 12:25 PM  
**Subject:** Please help stop minidorms in Pacific Beach

---

Dear Sir,

Please see the attached request to stop the development of minidorms in Pacific Beach and help stop the destruction of the neighborhood where my family and I live,

Thank you,

Nicholas Smith  
1204 Beryl Street,  
San Diego,  
CA 92109

(858) 272 8275

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